

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

SAMANTHA A. SAMPLES,)
v.)
Plaintiff,)
v.)
JO ANNE B. BARNHART, Commissioner,)
Social Security Administration,)
Defendant.)
Case No. CIV-05-667-M

ORDER

On February 28, 2006, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of Defendant Commissioner of Social Security Administration's ("Commissioner") final decision denying Plaintiff's applications for supplemental security income benefits. Magistrate Judge Roberts recommends that the Commissioner's decision be reversed and remanded for further administrative proceedings. The parties were advised of their right to object to the Report and Recommendation by March 20, 2006. The Commissioner timely filed her objections.

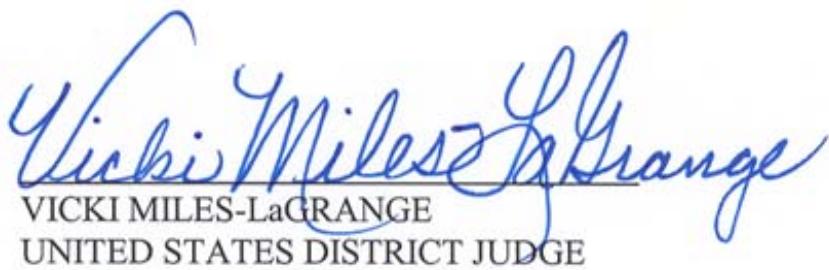
In her objections, the Commissioner contends that the Magistrate Judge erred in concluding that the Administrative Law Judge’s (“ALJ”) step three analysis was legally deficient because he failed to identify and apply a recognized method of measuring deficits in adaptive functioning. Having carefully reviewed this matter *de novo*, the Court agrees with Magistrate Judge Roberts’ Report and Recommendation in all respects. Accordingly, the Court hereby:

- (1) ADOPTS Magistrate Judge Roberts' thorough and well-reasoned Report and Recommendation [docket no. 16];
- (2) REVERSES the decision of the Commissioner;
- (3) REMANDS for further administrative proceedings consistent with the Report

and Recommendation; and

(4) ORDERS that judgment in favor of Plaintiff issue forthwith in accordance with the provisions of sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED this 14th day of April, 2006.



A handwritten signature in blue ink, appearing to read "Vicki Miles LaGrange".

VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE